IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD
MONDAY, THE TWENTIETH DAY OF SEPTEMBER
TWO THOUSAND AND FOUR
PRESENT
THE HON'BLE MR JUSTICE A.GOPAL REDDY
WRIT PETITION NO : 10928 of 2004

Between:

1 C. Vijaya Raju S/o. C. Ammaiah, Occ: Agriculture & Business,
R/o. 7-1-29/8. 2nd Floor, Flat No.7, Krishna apartments, Ameerpet, Hyderabad.
2 K. Seshagiri Rao S/o. Venkata Subbaiah, Occ: Business,
R/o. Plot No.20, K.P. Nagar, Vijayawada.
3 Adusimilli Seetharamaiah S/o. Veera Raghavaiah, Occ: Agriculture,
R/o. 8-3-320/1/5, Sai Sharadanagar, Yellareddyguda,
Hyderabad-73.
4 Smt. Bojja Krishna Veni, w/o. B.V. Sai prasad, Occ: House wife & Agriculture, R/o. 8-3-402/A, Nehrunagar, Kurnool.
5 Smt. Adapala Pushpaleela Devi, W/o. A. Narayana Murthy, Occ: Agriculture, R/o. 6-3-904/4/122, S.F-4, Jamunga Apartments, Somajiguda, Hyd-82.
6 Gummadi Hari Babu S/o. Kotaiah G. Occ:Agriculture,
R/o. Singaraipally Village, Hakeempet post, Shameerpet, R.R.Dist.

..... Petitioners

AND

1 The Joint Collector, Ranga Reddy District.
2 The Revenue Divisional Officer, Chevella Division at Hyderabad.
3 Shamshabad Sathaiah S/o. Late Kistaiah
Kapara Village, Keesara Mandal, R.R.District.
4 Shamshabad Mallesha S/o. Late Kistaiah
Kapara Village, Keesara Mandal, R.R.District.
5 Shamshabad Surender Redy S/o. Ramulu
Kapara Village, Keesara Mandal, R.R.District.
6 Shamshabad Siva Reddy S/o. Ramulu
Kapara Village, Keesara Mandal, R.R.District.
7 The Mandal Revenue Officer, Keesara Mandal , Ranga Reddy District.

.....Respondents

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an appropriate writ, order or direction, more particularly one in the nature of writ of Mandamus;- i) declaring the order of the Respondent No.1 in Case No. F1/4641/2003 dt. - 6-2003 as arbitrary, illegal, violative of Article 14 of Constitution of India and Contrary to the provisions of the A.P. (TA) Inams Abolition Act 1955; II) declaring the order of the Respondent No.2 in proceedings No. L/5288/81, dt. 31.1.1982 as arbitrary, illegal, violative of

Article 14,21 & 300A of the Constitution of India and consequently set-aside the same.

For the Petitioner: MR.M.RAJENDER REDDY, Advocate

For the Respondents No.1, 2 and 7: GP FOR REVENUE

The Court at the stage of admission made the following :

ORDER:

The petitioners claiming to be the purchasers of the land under un-registered sale deeds dt. 14-3-1975 from one Vorla Narasimha Reddy @ Narasa Reddy and since then they are in possession of the property filed the present writ petition stating that after purchasing the land, their names were mutated in the revenue records by the proceedings of the Mandal Revenue Officer, Keesara Mandal in proceedings No.B/3062/2002 dt. 7-2-2003 and B/3061/2002 dt. 29-1-2003. Thereafter, they filed OS No.162/2003 before the Junior Civil Judge, Medchal against one B.Anjaiah for perpetual injunction and obtained temporary injunction in IA No.439/2003 based upon the mutation proceedings. During the pendency of the suit, petitioners came to know that unofficial respondents were granted occupancy certificates in File No.L/5288/81 dt. 16-7-1982 by the Revenue Divisional Officer, Chevella Division. On coming to know of the same, the petitioners filed an appeal along with the delay condonation petition to condone the delay of 7570 days in filing the appeal before the Joint Collector, Ranga Reddy District, who dismissed the appeal holding that appeal delayed by 7594 days and day to day delay has not been furnished.

Admittedly, lands are inam lands and on abolition of inams, rules were framed in the year 1975 under A.P. (Telangana Area) Abolition of Inams Act, 1955 (for short “the Act”), which enables the persons who are claiming title or rights to obtain necessary occupancy certificates. The petitioners who have not moved the Revenue Divisional Officer for grant of occupancy certificates having purchased the property cannot keep quite for getting occupancy certificates. No prudent person will keep quite without seeking occupancy certificates on enforcement of the Act and rules, which were come into force in the year 1975. Moreover delay in filing the appeal before the Joint Collector has not properly explained.

In view of the same, the impugned order passed by the Joint Collector, Ranga Reddy District does not suffer from any infirmity warranting interference by this court. If the petitioners want to claim occupancy certificates in view of the purchase of the land under registered sale deeds, the proper remedy for them is to move the competent authority under the provisions of the Act for grant of occupancy certificates.

The writ petition is accordingly dismissed. No costs.

A.GOPAL REDDY,J

DT.20-9-2004

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1. The Joint Collector, Ranga Reddy District.
2 The Revenue Divisional Officer, Chevella Division at Hyderabad.
3 The Mandal Revenue Officer, Keesara Mandal , R.R.District.
4. Two CCs to Govt., Pleader for Revenue, High Court Buildings, Hyderabad (OUT)
5. Two CD copies.